United Nations S/2015/274

Security Council

Distr.: General
23 April 2015

Original: English

Letter dated 23 April 2015 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

I have the honour to submit herewith a press release regarding the ongoing electoral process in Burundi (see annex).

I kindly request that the present letter and its annex be shared with the members of the Security Council as a document of the Council.

(*Signed*) Albert **Shingiro**
Ambassador
Permanent Representative

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Annex to the letter dated 23 April 2015 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

[Original: French]

Press release on the ongoing electoral process in Burundi

The Ministry of Foreign Affairs and International Cooperation considers it important and necessary to bring to the attention of national and international opinion the fact that the Government of Burundi is very mindful of the concerns of its local and international partners regarding calls to respect the Constitution and the Arusha Peace and Reconciliation Agreement for Burundi in order to promote free, inclusive, peaceful, democratic and transparent elections.

The Ministry of Foreign Affairs and International Cooperation wishes to reiterate the strong commitment of the Government of Burundi to its partners in the interest of consolidating democracy in Burundi and respect for the country's basic law, the Constitution approved by referendum on 28 February 2005 and promulgated on 18 March 2005. This basic law, which remains in force in Burundi, was drafted under the Transitional Government. It thus reflects the spirit and the letter of the Arusha Agreement of 28 August 2000 and the Global Ceasefire Agreement between the Transitional Government of Burundi and the National Council for the Defence of Democracy-Forces for the Defence of Democracy, signed on 16 November 2003.

The Ministry of Foreign Affairs and International Cooperation notes that there remains some confusion regarding articles 96 and 302 of the Constitution and that this has led to a variety of interpretations and even speculations. The Arusha Agreement, which was signed by 17 political parties and the Government at the time, also comprises the reservations made by 10 of the signatory parties. These reservations are an integral part of the Agreement, including with respect to the manner of electing the President of the Republic and the interim period.

The Ministry of Foreign Affairs and International Cooperation welcomes the fact that the Government resulting from the general elections of 2005 and 2010 has shown the will to implement the spirit of the Arusha Agreement by recognizing that it was enhanced by the Global Ceasefire Agreement signed in 2003 between the Transitional Government and the National Council for the Defence of Democracy-Forces for the Defence of Democracy, which at the time was an armed movement.

The Ministry of Foreign Affairs and International Cooperation recalls that the Global Ceasefire Agreement, which was signed without reservations, superseded some provisions of the Arusha Agreement. Both agreements are nonetheless an integral part of the Constitution and are given equal consideration.

The Ministry of Foreign Affairs and International Cooperation calls on the international community, which played a key role in the negotiations that enabled Burundians to restore peace and democracy after they were deprived of their leader in the bloody 1993 coup d'état against President Melchior Ndadaye, to continue to support the Government, which represents the popular will, and to provide it with all necessary assistance for the success of the elections to be held between May and August 2015.

The Ministry of Foreign Affairs and International Cooperation stresses that the Government of Burundi would like the international community and local and international partners to understand and acknowledge that the Constitutional Court of Burundi is the only body empowered to rule on the interpretation of the Constitution, pursuant to article 228, third paragraph, of that Constitution. This article is complemented by article 225 of the Constitution, which the Burundian people have placed above any other law or agreement.

The Ministry of Foreign Affairs and International Cooperation thanks the international community and local and international partners in advance for their support with regard to the need to respect the national bodies and mechanisms empowered to settle any disputes arising from the interpretation of the Constitution in force. Clear and sustained support for these bodies and mechanisms is manifested by the rejection of false information and rumours spread in the context of "election fever" to misrepresent positions and spread fear among sensitive populations that have not yet fully recovered from distressing or traumatic experiences related to the civil war or to the ethnic massacres that plagued the people of Burundi from 1962, when independence was achieved, until the 2005 elections.

The Ministry of Foreign Affairs and International Cooperation reaffirms the commitment of the Government of Burundi to abide by the sovereign wishes of the Burundian people, as expressed in the March 2005 Constitution. It also seeks the international community's full support for the Government of Burundi, which spares no effort to uphold the law, the rights of citizens and other persons living in its territory, and the values of tolerance and international solidarity in order to sustain the ideals of democracy, national reconciliation and development in Burundi and to fight the crimes of genocide and international terrorism.